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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
10 AT TACOMA

11 WILLIAM LIPE,

12 Plaintiff,

13 v.

14 UNITED STATES OF AMERICA; RAY  
15 LORTON; and DOES 1 through 10,

16 Defendants.

Case No. C06-5379KLS

**STIPULATION AND ORDER  
STRIKING MOTION AND  
EXTENDING TIME TO ANSWER**

17  
18 IT IS HEREBY STIPULATED by and between the parties by and through their attorneys of  
19 record that the motion for partial dismissal filed by Defendant and calendared for hearing on  
20 December 22, 2006 be withdrawn upon Plaintiff's filing of a Second Amended Complaint in the  
21 form previously submitted to counsel for Defendants. Defendants shall have 30 days to respond to  
22 the Second Amended Complaint.  
23

24 **ORDER**

25 IT IS HEREBY ORDERED:

26 That the hearing on Defendants' Motion to Dismiss scheduled for hearing on December 22,  
27

2006 is stricken and Defendants shall have 30 days to respond to Plaintiff's Second Amended Complaint.

DATED this 21<sup>st</sup> day of December 2006.



FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE

Presented by:

**/s/ Karol A. Whealdon-Andrews**

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STIPULATION AND ORDER TO CONTINUE  
HEARING, ETC.  
Case No. 06-5379

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